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APPLICATION OF

BLUE SPRINGS, INC.

CASE NO. PUE980737

**For a certificate of public
convenience and necessity**

REPORT OF MICHAEL D. THOMAS, HEARING EXAMINER

February 23, 2000

On February 22, 2000, the Commission's Staff filed with the Clerk of the Commission a Motion to Dismiss the above-captioned proceeding. In support of its Motion, the Staff states that it obtained a copy of a partially executed agreement between the Lee County Public Service Authority (the "County") and Blue Springs, Inc. (the "Company") from the Virginia Department of Health in which the County purportedly acquired the Company's water system. The Staff repeatedly attempted to contact both the County and the Company to verify the validity of the agreement. Neither the County nor the Company responded to the Staff's inquiries. By letter dated February 3, 2000, the Staff advised both the County and the Company that it would move to dismiss this matter unless the parties advised the Staff by February 15, 2000, why such action should not be taken. As of the date of the Staff's Motion, the parties had made no filing with the Clerk of the Commission, or otherwise communicated with the Staff.

Good cause having been shown, I find the Staff's Motion to Dismiss should be, and it is hereby, **GRANTED**.

Accordingly, **I RECOMMEND** that:

- (1) The Commission enter an order dismissing this matter from the Commission's docket of active cases; and
- (2) The papers herein be passed to the file for ended causes.

COMMENTS

The parties are advised that any comments (Section 12.1-31 of the Code of Virginia and Commission Rule 5:16(e)) to this Report must be filed with the Clerk of the Commission in writing, in an original and fifteen (15) copies, within fifteen (15) days from the date hereof. The mailing address to which any such filing must be sent is Document Control Center, P.O. Box 2118, Richmond, VA 23218. Any party filing such comments shall attach a certificate to the foot of such document certifying that copies have been mailed or delivered to all counsel of record and any such party not represented by counsel.

Respectfully submitted,

Michael D. Thomas
Hearing Examiner